

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CARLOS SERRANO MENOSCAL,

Petitioner,

v.

WARDEN, FCI HERLONG,

Respondent.

No. 2:23-cv-2338 CKD P

ORDER

Petitioner is a federal prisoner proceeding pro se with an application for writ of habeas corpus. Both parties have consented to have all matters in this action before a United States Magistrate Judge. See 28 U.S.C. § 636(c).

On February 13, 2024, respondent filed a motion to dismiss. On March 19, 2024, the court ordered petitioner to file a response to the motion within thirty days and was warned that failure to do so would result in dismissal under Rule 41(b) of the Federal Rules of Civil Procedure. Petitioner has not complied with the court's order.

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Accordingly, IT IS HEREBY ORDERED that:

1. This action is dismissed under Federal Rule of Civil Procedure 41(b) for failure to follow court orders; and

2. Respondent's motion to dismiss (ECF No. 10) is denied as moot.

Dated: April 29, 2024



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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